

Practitioner's Docket No. 031-3 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bullock
Application No. 09/886,937
Filed: June 21, 2001
For: Shaken Not Stirred

Date: January 24, 2003
Art Unit:
Examiner:
Action: Reply Letter Statement

RECEIVED

TO: The Commissioner of Patents and Trademarks
Washington, DC 20231

MAR - 5 2003

OFFICE OF PETITIONS

REPLY TO NOTICE OF MISSING PARTS OF APPLICATION AND
STATEMENT OF UNINTENTIONAL DELAY

Sir:

This is in reply to the Notice of Missing Parts of Application dated August 15, 2001, together with a statement of unintentional delay by the undersigned.

When contacting the USPTO (copy of our e-mail attached) regarding the status of the above-identified application we were advised by Rich that the Information Disclosure Statement which was mailed on September 12, 2002 had been received by the Patent Office but apparently there is no record of our response to the Notice of Missing Parts which was sent by your office on August 15, 2001. Our office has not received any Notice of Abandonment of this application.

The original Notice of Missing Parts was forwarded by the law firm that filed the application to our office to obtain the Oath and/or Declaration from the inventors and to also pay the basic filing fee, which was missing when the application was filed.

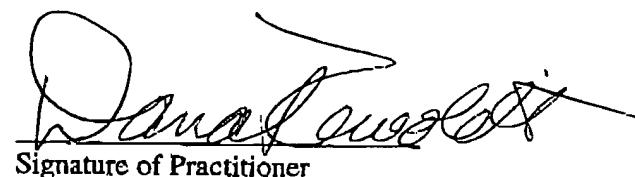
On October 1, 2001 the Declaration and Power of Attorney was sent to the USPTO naming Dana Rewoldt as attorney of record (copy attached). However, we have no record showing that the missing abstract or the filing fee was submitted at the time the Declaration was sent.

Our records do not indicate that we received any indication that our response to the Notice of Missing Parts was incomplete.

The entire delay in filing the complete response to the Notice of Missing Parts from October 15, 2001 until the filing of a grantable Petition under 37 CFR 1.137(b) was unintentional.

Attached please find the following documents, which should place the application in order for examination:

1. Abstract
2. Copy of Notice of Missing Parts of Application
3. The statutory basic filing fee of \$750.00.
4. Fee in the amount of \$252.00 for 3 independent claims over 3
5. Copy of oath/declarations and power of attorney from the inventors, which identifies application number 09/886,937 with a filing date of June 21, 2001.
6. A late filing fee of the oath/declaration in the amount of \$130.00, bringing the total due in the amount of \$1,132.00.
7. Fee in the amount of \$1,300.00 for filing Petition for Revival of an Application for Unintentional Abandonment, if applicable.
8. Fee transmittal, in duplicate, to charge our Deposit Account No. 07-0190 in the amount of \$2,432.00. If additional fees are needed or if this is inaccurately calculated or if the fees have increased or decreased please also deduct any necessary additional fees from the same account, or if there is no need for filing a Petition for Revival of an Application for Unintentional Abandonment, if that is the case, credit our deposit account accordingly. This is submitted in duplicate.



Signature of Practitioner

Dana Rewoldt, #33,762
Advanta USA, Inc.
2369 – 330th Street, Box 500
Slater, IA 50244
(515) 685-5100



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AUG 20 2001

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/886,937	06/21/2001	William Paul Bullock	53130

CONFIRMATION NO. 4857

FORMALITIES LETTER

0C00000008424738*

Kent A. Henrik
Davis, Brown, Koehn, Shors & Roberts, P.C.
688 Walnut Street
2600 Financial Center
Des Moines, IA 50309

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MAR 5 2003

OFFICE OF PETITIONS

Date Mailed: 08/15/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$240.
 - \$240 for 3 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1080.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment.

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY